EXHIBIT 1

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IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

_____

RICHARD KADREY, et   al.,   )

)

Individual and Representative   )   Lead Case No.

Plaintiffs,   )

)   3:23-cv-03417-VC

    v.   )

)

Meta Platforms, Inc.,   )

)

Defendant.   )

_____)

** H I G H L Y   C O N F I D E N T I A L **

30(b)(6) VIDEOTAPED DEPOSITION OF

META PLATFORMS, INC.

BY: MICHAEL PATRICK CLARK

Denver, Colorado

VOLUMES I AND II

Wednesday, November 13, 2024

Thursday, November 14, 2024

Reported stenographically by:

Michelle Kirkpatrick, RDR-CRR-CRC-CRI, FCRR

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 1      Q    Okay.  And you've just testified that you

 2   don't know what a high-risk IP domain is.

 3           MS. HARTNETT:  Object to the form.

 4      A    IP domain is one of the categories on the

 5   document.  All of the domains in the high-risk

 6   domains were to be filtered.

 7   BY MS. POUEYMIROU:

 8      Q    Okay.  Does "IP" mean intellectual

 9   property?

10      A    I would believe so in this context.

11      Q    Okay.  And then on the next page, under

12   "Purpose limitation," it says:  "Intermediate

13   versions of data that do not yet have mitigations

14   applied, e.g., URL block listing, can only be

15   accessed by the processes that apply mitigations and

16   not by any other" purpose "or for any other" --

17   sorry -- "not by any other process or for any other

18   purpose."

19           What does that mean?

20      A    If you download a file, the act of

21   downloading creates an intermediate version of that

22   data.  That's what you download.  That is the
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1   downloaded data.

2   Q   Uh-huh.

3   A   That is what I take that to mean.

4   Q   And so what this is saying here is that

5   Meta has downloaded data that was on a block list?

6   A   If, inside a file, like a Common Crawl

7   text file, there is a domain -- one of the domains

8   that was in that list was instagram.com.

9   If instagram.com content -- it's part of

10   the intermediate step, the list of all of the URLs

11   and the textual content in Common Crawl is refreshed

12   to go to instagram.com, you would block by

13   processing that file from going and getting

14   something from instagram.com.

15   And so, while poorly worded, this makes

16   sense, that that textual file of lists of URLs and

17   content shouldn't be used anywhere else until the

18   data that's intended to be used for processing has

19   gone through all the appropriate mitigations.

20   Q   And why do you say this is poorly worded?

21   A   It's confusingly worded for how it's . . .

22   Q   Okay. At the bottom, there are deleted

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 1   list or not.

 2   BY MS. POUEYMIROU:

 3       Q    So rather than whether it is on the block

 4   list -- and we will talk about the block list.

 5            But my question is more, it could be on

 6   the block list.

 7            Is that correct?

 8            MS. HARTNETT:  Objection to the form.

 9   BY MS. POUEYMIROU:

10       Q    Not it could be as in maybe it's on the

11   block list.  It is possible for Meta to take

12   Library Genesis, Anna's Archive, and any other of

13   the repositories that are in our topics today and

14   include it on a block list.

15            Is that possible?

16            MS. HARTNETT:  Objection to the form.

17   Misstates testimony.

18       A    To the best of my knowledge,

19   Library Genesis and Anna's Archive are primarily

20   distributed through torrent, and there are a variety

21   of domains, to my understanding, as well.  And as

22   I've said, I do not know if those are.
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 1   Can any domain be added to a block list?

 2   Yes.

 3   BY MS. POUEYMIROU:

 4   Q   And so --

 5   A   Theoretically, yes.

 6   BY MS. POUEYMIROU:

 7   Q   -- to confirm, to the extent we have

 8   evidence showing that Library Genesis can be

 9   distributed not just through torrent but through

10   normal download, Meta has the ability to include it

11   on this block list and not crawl it.

12   Is that correct?

13   MS. HARTNETT: Object to the form.

14   A   I would want to verify a specific domain

15   and that it is or is not on the block list in order

16   to be able to answer that --

17   BY MS. POUEYMIROU:

18   Q   Okay.

19   A   -- for HTML and HTTP protocols.

20   MS. POUEYMIROU: And I would ask that when

21   we do our follow-up 30(b)(6) continuation that we

22   can -- we can look into that and discuss it.

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 1   MS. HARTNETT: Just to make clear on the

 2   record, you want to know -- him to be able to

 3   clarify the nature of those sources, as to whether

 4   they'd be something that could be susceptible of --

 5   MS. POUEYMIROU: No, we already have that,

 6   and we will be talking about it.

 7   I want you to clarify, Mr. Clark, whether

 8   Meta has added to the block list -- since it knows

 9   that it has obtained self-identifying pirated

10   material from LibGen before, whether it presently

11   has on its block list to not crawl LibGen.

12   MS. HARTNETT: But he just said that he's

13   not sure it can crawl -- it's something that's

14   crawlable.

15   MS. POUEYMIROU: And we're going to go to

16   a document that shows how Meta was downloading and

17   that it's not just torrent. But if you want to

18   verify that, too, we can do that. Okay.

19   But I want to know what that block list

20   includes. I want to know if any of the shadow

21   libraries listed in Topics 1, 2, and 3 appear on

22   Meta's block list for SpiderMate.

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 1                 MS. HARTNETT:  Okay.  I mean, that's

 2   not -- appreciating that's not specifically in the

 3   Notice, we hear you, and we will try to make him

 4   able to answer that.

 5                 MS. POUEYMIROU:  Okay.

 6                 So we'll come back to that, then.

 7                 MS. HARTNETT:  Okay.

 8                 THE WITNESS:  Okay.

 9                 MS. HARTNETT:  Also, we just object to the

10   characterizations, but I understand what you're

11   asking for.

12                 You're asking for the specific datasets on

13   Topics 1 through 3, whether they are on a block

14   list.

15                 MS. POUEYMIROU:  Appear on a block list,

16   yes.

17                 MS. HARTNETT:  Okay.  Understood.

18   BY MS. POUEYMIROU:

19        Q    And has Meta done any other -- has Meta

20   included other URLs on its block list that it knows

21   to contain pirated material?

22                 MS. HARTNETT:  Object to the form.
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